



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

268. *Superintendent of health to make monthly report of mortality, etc.*—The city superintendent of health shall furnish each month to the board of health of the city and to the council a report of the mortality in the city and the condition of the public health during the preceding month, with such recommendations and suggestions as he may deem necessary and expedient: *Provided*, That nothing herein shall be construed to prevent the council from calling for such reports or additional reports at such time and as frequently as they require them.

Foodstuffs; Production, Care, and Sale—Hotels, Restaurants, Markets, Etc.; License Required. (Ord. Feb. 28, 1913.)

191. *Places and vehicles of conveyance to be kept clean, etc.*—Every person, firm, or corporation keeping, maintaining, or being in charge of any factory, public or private market, stall, stand, shop, store, warehouse, cold storage, cart, wagon, or other vehicle in or from which any meat, meat products, fish, oysters or other sea food, game, fowl, fruit, berries, vegetables, bread or bakery products, ice cream, soft drinks, candies, or other articles or substances, intended for human consumption, are manufactured, held, kept, stored, exposed, or offered for sale or distribution, shall keep the same in a clean, pure, and wholesome condition.

192. *Foodstuffs to be protected from dogs.*—All such meat, meat products, fish and other sea food, vegetables, berries, fruit, and other articles or substances of food or drink, mentioned or referred to in section 191, stored, kept, or exposed for sale within the city, shall be kept not less than 2 feet above the floor of the building, shop, or place where they are so exposed, unless such articles or substances are covered, cased, or stored so as to be inaccessible to the excretions of dogs.

193. *Screening from flies and insects.*—No person, firm, or corporation shall at any time within the period beginning the 1st day of April and ending the 1st day of November in any year, place, keep or expose, offer or prepare for sale, or sell, or store pending sale any article or substance of human food or drink in any building, premises, or place in the city where such article or substance is not, at such times, so screened as to prevent flying insects from having access to such article or substance. And no person, firm, or corporation shall, at any time, within such period of any year, bring into the city for sale or carry or convey or cause to be carried or conveyed upon, along, or over any street, alley, or way in the city any article or substance for human food or drink, for the purpose of offering or exposing for sale or storing for sale or which is at such time in course of delivery after sale, unless such article or substance of food or drink, at such times, be covered, screened, or otherwise protected in such manner as not to be accessible to flying insects: *Provided, however*, That no provision of this section shall apply to or affect any article or substance of human food or drink which shall, at such times, be in unbroken packages or containers tightly closed: *Provided further*, That the following foodstuffs shall not be deemed subject to contamination from flying insects and shall not be required to be screened, to wit, watermelons and other melons, oranges, lemons, and bananas, where unsliced or unpeeled, and potatoes, cabbages, collards, carrots, turnips, parsnips, onions, squash, and pumpkins.

194. *Screened doors and windows—In dining rooms, etc., of hotels, etc.*—The dining rooms of all public eating houses, hotels, boarding houses, restaurants, lunch rooms, and the kitchens thereof; all bakeries, confectioneries, candy factories, ice-cream factories and parlors, soft-drink stands, places using soda fountains, delicatessens, meat markets, and places where milk is bottled or exposed for sale shall, during the season prescribed in section 193, have all windows, doors, and openings therein properly screened so as to exclude flies from such places.

195. *Unlawful to sell or have in possession for sale diseased, tainted, and unwholesome meat—Right to seize.*—It shall be unlawful for any person, firm, or corporation to bring into the city of Wilmington for sale or to sell or have in possession for sale therein for

human food any diseased, tainted, or unwholesome meat of any kind. And all police and health officers of the city are empowered and commanded to seize all such food supplies, where the same are found or appear to be diseased or the odors of putrefaction plainly exist therein or when the same are kept in unclean, bad-smelling refrigerators or in unclean or bad-smelling storage rooms or places; or whenever or wherever it is found or appears that the carcass, part, or parts of any animals is of an animal which has been slaughtered, prepared, or kept under any one or more of the following insanitary conditions:

- (a) In a slaughterhouse dilapidated and in a state of decay;
- (b) Where the drainage of the slaughterhouse or slaughterhouse yard is not efficient;
- (c) Where maggots, or filthy pools, or hog wallows exist in the slaughterhouse yard or under the slaughterhouse;
- (d) Where the water supply is not pure and unpolluted;
- (e) If hogs are kept in the slaughterhouse yard or fed therein on animal offal.

And such articles, so seized, shall be delivered forthwith to and before the recorder or some justice of the peace, together with all information obtained.

196. *Rotten, nauseous, or unwholesome food supplies—Unlawful to have for sale.*—No rotten, fermented, diseased, nauseous, unsound, stale, or unwholesome fish, oysters, or other sea food, vegetables, berries, melons, fruit, or other articles of food or drink shall be brought into the city for sale or distribution as human food or drink, nor shall any such articles or substances be sold, exposed, prepared, or offered for sale, within the city, in or from any cart, vehicle, or boat, market, stall, stand, shop, warehouse, cold storage, hotel, boarding house, restaurant, lunch room, or other place of business therein, or be carried for sale or for delivery after sale over and upon any of the streets, alleys, or public places of the city.

197. *Destruction of rotten, nauseous, and unwholesome food supplies.*—Whenever any health officer or agent of the board of health of the city shall find in or upon any of the places or vehicles referred to in section 196, any rotten, diseased, nauseous, or unwholesome food stuff, substance, or article intended for human food or drink, it shall be the duty of such officer or agent to notify the owner, manager, or person in charge of such article, place, or vehicle to remove such foodstuff or articles to a place designated, or some proper place, and destroy the same, or such officer or agent of the board of health may seize such foodstuff or article and destroy it.

198. *Cleanliness required in and around places serving or preparing food or drink for sale—Persons with communicable disease prohibited working therein.*—No person, firm, or corporation owning, managing, or in charge of any restaurant, hotel, boarding house, lunch room, ice-cream parlor, soft-drink stand, or other place where food or drink, for human consumption, is sold, served, or prepared shall keep or permit such place to be kept in a filthy or unsanitary condition. No person suffering from tuberculosis, any venereal, or other communicable disease shall be employed in or about such places in any position which will bring him or her in contact with such food or drink.

199. *Food not to be prepared or kept in room with toilet—Ventilation required where toilet room connects.*—No meats, meat products, fish, or other sea food, bakery products, soft drinks, ice cream, milk or milk products, candy, fruit, confectionery, vegetables, or other foodstuffs shall be prepared for sale, kept, exposed for sale, or sold in any room in which a toilet is located, or in any room opening directly into a toilet room unless there is adequate outside ventilation to such toilet room.

200. *Health officers to make frequent inspections of places handling foodstuffs, etc.—Notice of unsanitary condition—Refusal to comply with notice a violation of ordinance.*—It shall be the duty of health officers of the city and agents of the city board of health to visit, at frequent intervals, each public and private market, stall, shop, stand, store, warehouse, cold storage, storehouse, canning factory, hotel, boarding house, restaurant, lunch room, soft-drink stand, bakery, ice-cream factory, or parlor, or other place of business covered by this chapter, in the city of Wilmington, and to inspect each, and

also all wagons, carts, and other vehicles used therewith, or of vendors, or street hawkers in or about which any of the foodstuffs or articles embraced in this chapter are kept, made, held, prepared, or carried for sale or distribution. Reports of all such inspections shall be promptly made to the city superintendent of health. Notice shall be given where such premises, places, or vehicles are found to be in an unclean, unwholesome, or unsanitary condition, to remedy the same; and any person, firm, or corporation neglecting or refusing to put any such premises, place, or vehicle in a clean, wholesome, or proper sanitary condition within 24 hours from the time notice is given in writing by the city superintendent of health so to do shall be deemed guilty of a violation of this ordinance.

201. *License for hotels, restaurants, markets, etc.—Application therefor—Provisions of.*—That from and after the 1st day of June, 1912, every person, firm, or corporation engaging in the business of keeping, maintaining, conducting, or operating any store, shop, stand, meat market, butcher stall, or business in the city of Wilmington, for the retail of fish, game, poultry, or butcher's meat, or engaging in the business of keeping, maintaining, and conducting any hotel, restaurant, lunch room, or other public eating room, bakery, soft-drink stand, ice-cream factory or parlor, bottling works, or place from which milk is bottled or sold, shall first file with the city superintendent of health a written application to the council for a license, which application shall state the name of the applicant, his or their place of residence, and the character of business and location for which a license is desired. The said superintendent of health shall thereupon examine, or cause to be examined, the sanitary conditions of the place proposed to be licensed, and shall present such application to the council, together with a statement of the sanitary conditions of such place. Such license shall be issued by the city clerk and treasurer only when authorized and directed so to do by the council and upon payment of such license tax as may be provided therefor by ordinance. Each license so granted shall authorize the licensee named therein to carry on such business only at the place stated in such license, and each such licensee shall keep his license conspicuously posted in the place for which the same is issued. Any license issued hereunder may be revoked by the council upon satisfactory evidence that the holder thereof disregards the sanitary regulations of the city or persistently violates the law of the State in the maintenance of his place.

202. *Penalty for violation.*—Any person, firm, or corporation violating any provision of this chapter, save and except where the same is exclusively provided for by statute, shall be subject to a penalty of \$25 for each and every such offense. And where notice is given by the city superintendent of health to remedy unsanitary conditions, as provided in this chapter, and such notice is disregarded or neglected, after 24 hours from notice given, each day thereafter such unsanitary condition is willfully permitted to remain shall subject the offender to an additional penalty of \$5 per day.

* * * * *

354. *Butchers and assistants to be cleanly dressed, etc.*—Every butcher and his assistants shall be cleanly dressed, and shall, while attending in the market, wear a white apron; and every such person failing or neglecting to comply with this section shall be subject to a penalty of \$5 for each and every such offense.

* * * * *

357. *Cleaning and clearing of stands, etc.—Duties of lessees, occupants, etc.*—Every lessee or occupant of a market stall or stand shall keep his place thoroughly clean. Butchers shall cause their tables, meat blocks, and other fixtures to be thoroughly scraped and cleaned daily, upon the closing of market houses, and at such other times as the necessity therefor may arise in the opinion of (and when so directed by) the clerk of the market or any health officer. No market stall, stand, or place assigned or used in a market place shall be kept during market hours, or be left upon the closing of markets, or upon vacating any such place, on any day, other than in a cleanly and

sightly condition. Rubbish, filth, waste, scraps, and animal, fish, sea food, or vegetable offal, as the case may be, shall be collected, cared for, and removed by occupants from stands, places, or locations. Vehicles, provisions, and other foodstuffs or supplies remaining shall be removed from market places promptly upon the closing of market hours, or whenever, during any day, any position in a market place is vacated by any person.

358. *Receptacles for waste and decomposing matter.*—No person shall use any receptacle in any of the markets for water or for organic waste matter unless the same be of metal, and the latter be provided with a close-fitting cover. All waste matter shall be removed and deposited in receptacles, conveniently located for removal by city carts or for proper disposal, in places in public markets to be designated by the clerk of the market.

359. *Dogs not to be allowed in market buildings.*—Dogs shall not be allowed in the market buildings, and it shall be the duty of the clerk of every public market or the person in charge of any private market to drive or cause to be driven therefrom any dog or dogs entering. Every person bringing into or suffering a dog under his or her control or care to accompany him or her into a market house shall be subject to a penalty of \$5 for each and every such offense.

360. *Fresh meats to be sold only from markets—Proviso.*—It shall be unlawful for any person, firm, or corporation to sell or expose or offer for sale any fresh meats of any kind within the city, except in or from the city markets, or such private markets or meat shops as may be designated or licensed by the council in accordance with ordinances: *Provided*, This shall not apply to wholesalers of meats who sell to licensed retailers within the city or who sell to occupants of the city markets: *Provided further*, That this shall not apply to those who sell to common carriers nor to sales to persons, firms, or corporations outside of the city for use thereout, nor to nonresident producers bringing into the city their meats for sale in carts, wagons, or other vehicles or on their persons, who sell in quantities of not less than a quarter of a carcass, upon compliance with the provisions of this chapter, and other regulations applicable, made for the protection of food.

361. *All fresh meats to be inspected before selling, etc.*—No person, firm, or corporation shall sell, expose for sale, or have in his or her or their possession with the intent to sell, for human food, any fresh meat, in the city of Wilmington, unless the same shall be inspected by the meat and milk inspector or deputy inspector of the city of Wilmington, and be stamped or tagged with approval by such officer, or unless such meat shall have been inspected by proper inspectors of the United States Government with their mark of approval stamped thereon.

362. *Place designated for inspections by meat and milk inspector—Inspections.*—All fresh meat of any kind, intended for human food, brought into the city for sale or held or to be exposed or offered for sale therein shall, unless elsewhere inspected and stamped by the meat and milk inspector, first be carried to the lower part of the Front Street Market, which is hereby set apart as a place for the inspection of meats, and shall there be inspected by the meat and milk inspector of the city before any such meat is sold, offered, or exposed for sale: *Provided*, This section shall not apply to such meat as may have been inspected by proper inspectors of the United States Government with their mark of approval stamped thereon.

363. *Term "fresh meat" defined.*—The term "fresh meat," as used in this chapter, shall be construed to include all slaughtered beef, pork, mutton, goat, venison, or other meat which has not been thoroughly dry salted, smoked, or cured: *Provided*, That nothing herein shall prevent any person from selling wild game not expressly prohibited.

364. *Hawking on streets, etc.—Prohibited before 9 a. m.—Proviso.*—No fresh meat by quarters, or any fish, crabs, terrapins, turtles, oysters, or other sea food or garden truck or farm products shall be peddled, hawked, or sold or offered for sale in any

wagon, cart, vehicle, or by any street hawker, before 9 o'clock a. m. on any day on any of the streets of the city or within the city: *Provided*, This section shall not be construed to apply to sales made in and from wagons, carts, or vehicles or to hawkers, when located on the market places of the city and accessible to inspection, as permitted by this chapter. Nor shall the provisions hereof be construed to prohibit sales to duly licensed markets or places subject to food inspection: *Provided further*, This shall not apply to wagons, carts, or vehicles, or to hawkers, where such goods or supplies, being offered or exposed for sale, have been duly inspected and passed.

365. *Term "market place" defined.*—The term "market place" within the meaning of this ordinance shall be construed to mean such place or places on a public street or place that may by authority of the council be occupied or appropriated by any wagon or vehicle from which the sale or exchange of meat other than fresh meats, and fish, oysters, and other sea food, vegetables, produce, or other perishable stuff, as the case may be, may be made generally by any person, and to which buyers or dealers are generally invited to go for the purpose of making purchases, or making exchanges of such fish and other sea food, vegetables, produce, or other perishable stuff.

* * * * *
690. *Bread—Precautions in handling—Wrapping.*—All bread offered or intended for sale shall, upon sale, or when carried or handled for sale or for delivery in wagons, vehicles, or otherwise, be suitably wrapped in paraffin paper or other cleanly covering in such manner as to completely protect the bread from dirt and dust or from harmful contact in handling.

691. If any person, firm, or corporation shall make or procure for the purpose of sale, sell, offer or expose for sale, within the city of Wilmington, any bread which is not made of good and wholesome flour or meal; any bread which contains a deleterious substance or material; * * * contrary to the provisions of ordinance, such person, firm, or corporation shall be subject to a penalty of \$50 for each and every such offense.

692. *Bread—Places selling and vehicles delivering—Subject to inspection by officers—Penalty for obstructing.*—Every bakery, bakeshop, store, or place, where bread is sold, and all wagons, carts, or other vehicles engaged in carrying around and delivering bread, shall be subject to inspection and examination by police and health officers of the city for the purpose of enforcing compliance with regulations; and any person willfully obstructing or interfering with any such officer while so discharging or attempting to discharge his duty shall be subject to a penalty of \$50 for each and every such offense.

Milk—Production, Care, and Sale. (Ord. Feb. 28, 1913.)

25. *Tuberculin test for certain cattle required.*—It shall be unlawful to sell or offer for sale, in the city of Wilmington, for breeding or dairy purposes, any cattle, unless every such animal be given the tuberculin test, or unless accompanied by a certificate from a qualified veterinary surgeon showing that every such animal has been tested for the same within six months prior to the date they are so sold or offered for sale. Cows kept, from which milk is sold within the city, shall be tuberculin tested at least once every two years.

26. *No fee charged for such test by dairy inspector.*—When the test required by the preceding section is made by the meat and milk inspector of the city, the charge to be made therefore shall cover the cost of making such test.

27. *Fine for violating section 25.*—Any person, firm, or corporation violating any provision of this ordinance requiring a tuberculin test for cattle, as hereinbefore provided, shall be subject to a penalty of \$10 for each and every such offense.

* * * * *
130. *Permit required for dairy or dairy farm kept within the city limits or territorial jurisdiction—Revocation.*—No person, firm, or corporation shall, within the city of Wilming-